

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE	)	CHAPTER 13
	)	
JAMES LYDON AND	)	CASE NO.: 24-12868-PMM
DONNA M LYDON,	)	
	)	
Debtors	)	
~~~~~	)	
ALLY CAPITAL,	)	
	)	
Movant	)	<b><u>HEARING DATE:</u></b>
vs.	)	Thursday, March 06, 2025
	)	11:00 A.M.
JAMES LYDON AND	)	
DONNA M LYDON,	)	
	)	
Respondent(s)	)	
and	)	
	)	
KENNETH E. WEST	)	<b><u>LOCATION:</u></b>
	)	900 Market Street, Suite 400
Trustee	)	Courtroom No. 1
	)	Philadelphia, PA 19107

**MOTION FOR RELIEF FROM AUTOMATIC STAY**

AND NOW, comes the above-captioned Movant, Ally Capital, by and through their attorney, Regina Cohen, who files this Motion based upon the following:

1. The Movant is a corporation having a principal place of business located at 1234 Main, Desoto, TX 75115.
2. The Respondents, James Lydon and Donna M Lydon are an individual with a mailing address at 11008 Calera Road, Philadelphia, PA 19154, who have filed a Petition on August 16, 2024 under Chapter 13 of the Bankruptcy Code.
3. On or about February 24, 2023, Debtor James Lydon entered into a Retail Installment Contract, involving a loan in the amount of \$32,430.37 for the purchase of a 2019 Ford F-150 Crew Cab XLT EcoBoost 4WD 2.7L V6 Turbo.
4. The vehicle secured by the Contract has V.I.N. 1FTEW1EP3KFB56677.
5. Movant is the assignee of the Contract.

6. The above – described vehicle is encumbered by a lien with a payoff in the amount of \$30,434.46 plus other appropriate charges as of January 30, 2025 but subject to change. The regular monthly payment is \$599.67 at an interest rate of 10.99%.

7. Applying payments received to the earliest payment due, payments have been missed post-petition, since August 26, 2024 in the amount of \$3,598.02, plus all applicable interest, attorneys' fees and costs plus Pre-Petition Payments of \$1,889.32.

8. The Property has a N.A.D.A. Value of \$29,125.00.

9. The vehicle is not necessary to an effective reorganization.

10. The Movant is the only lienholder of record with regard to the vehicle.

11. Failure to make adequate protection payments is cause for relief from the automatic stay.

12. The Movant has incurred attorney's fees in the filing of this Motion.

13. The vehicle is a rapidly depreciating asset. Movant requests the waiver of Rule 4001(a)(3).

WHEREFORE, Movant prays for your Honorable Court to enter an Order permitting the Movant to proceed with the repossession proceedings of the aforementioned vehicle.

Respectfully submitted,  
Lavin, Cedrone, Graver, Boyd & DiSipio

/s/ Regina Cohen  
Regina Cohen  
Attorney for Movant  
Suite 500 190 North Independence Mall West 6th &  
Race Streets  
Philadelphia, PA 19106  
(215) 351-7551